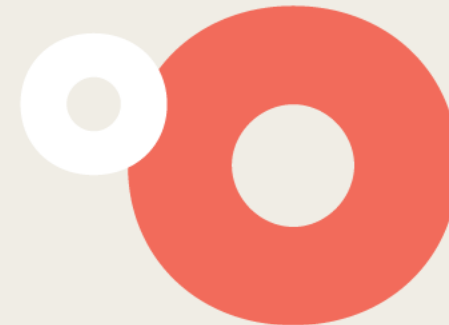




# Pronto

Boosting public procurement  
for sustainable innovation



# IPR strategies

## PPI Mini-training module #3



This project has received funding from  
the European Union's COSME programme  
under grant agreement No 857810

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# IPR at a glance



## What do we mean by it

IPR stands for Intellectual Property Rights that the authors (inventors, developers, etc.) of certain innovations are acknowledged by force of law. These can be protected by e.g. patents or designs or trademarks, but not always so.

## When is it important to use it

For instance, some IPR (found through a patent) can be the “smoking gun” showing the solution we are looking for is not original. Or the IPR generated in an innovation procurement may require an “ad hoc” agreement for their future exploitation.

## Why it is important

Knowing that some IPR exist may lead to several decisions that can shape and influence the public procurement procedure considerably, particularly of innovative solutions, both in the design phase and in the post-tender exploitation.

## How it can be implemented

Alongside patent and trademark databases, there is a growing number of specialised consultancy firms doing the service of a fully blown IPR analysis at convenient prices, including related technologies that may not be revealed by a simple search.

# When should it be planned/implemented



*Needs identification and assessment*



*Prior art analysis*



*IPR search & IPR and confidentiality strategies*



*Analysis of the regulatory, certification, standardisation environment*



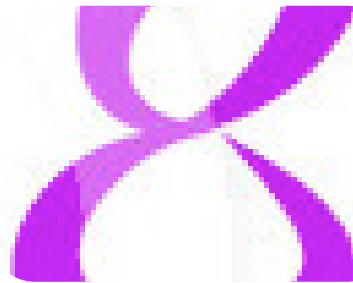
*Drafting the business cases*



*Open market consultation*



*Tender documentation*



*Conducting the procedure*



*Monitoring and evaluating the contract performance*



*Managing after contract issues*

# SWOT analysis



## Strengths

- Most of the patent, design, and trademark databases are free to public consultation.
- Knowing the IPR status helps define the right agreements on exploitation with call winners.

## Opportunities

- IPR are often discovered as a by product of a PAA (see module 2) or OMC (see module 6).
- Their knowledge helps to define the proper handling of business confidentiality issues.

## Weaknesses

- You should know which search queries to make and how to make them appropriately.
- This task takes some time and lends itself to risks of involuntary disclosure of call details.

## Threats

- Unless a good PAA has been done before, the evidence on IPR may be partial if useful at all.
- A badly designed agreement on IPR sharing or handling of confidentiality may jeopardise participation in the call.



# Consortium



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